

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

02-CR-6126DGL

v.

ALBERT M. RANIERI,

Defendant.

Defendant Albert M. Ranieri (“Ranieri”) has now been released from a lengthy term of incarceration and, after completing a term at a halfway house, has commenced a term of supervised release and has been released into the community.

Ranieri has filed a spate of motions: a motion to correct the record (Dkt. #56); a motion for reduction of sentence or a motion under 28 U.S.C. § 2241 (Dkt. #54); as well as one styled by Ranieri as a “motion in opposition to Government’s response” (Dkt. #60), which is reflected on the docket sheet as a “Reply” to Government’s Letter Response (Dkt. #59) in response to Ranieri’s motion under 28 U.S.C. § 2241.

Except for the motion under Section 2241, all motions have been resolved or are moot by this Court’s Text Order (Dkt. 57) of February 26, 2024.

Ranieri claims in his Section 2241 motion that the Bureau of Prisons denied him certain credits that he believes he accrued while in custody. Of course, Ranieri has been released from custody and has commenced his term of supervised release; so the matter is rather moot.

In any event, on the merits, the Government has submitted a thorough Response (Dkt. #59) with an attachment from the Bureau of Prisons that sets forth in great detail the process and procedure for calculating earned credits. I have carefully reviewed that submission, as well as Ranieri's Reply (Dkt. #60), and I agree with the Government that Ranieri's motion is without merit, and that the Bureau of Prisons correctly calculated what was due to Ranieri. Furthermore, there is no realistic remedy or relief that could be afforded by this Court and Ranieri's suggestion, referred to only briefly, that his term of supervised release should be reduced in some fashion, is without merit.

CONCLUSION

Defendant Albert M. Ranieri's motion for a reduction of sentence or for a motion under Section 2241 (Dkt. #54) is in all respects DENIED. I decline to issue a certificate of appealability because Ranieri has failed to demonstrate any violation of a constitutional right.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is positioned above a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
April 18, 2024.